

AMENDED IN ASSEMBLY JUNE 2, 2003

AMENDED IN ASSEMBLY MARCH 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 135**

---

---

**Introduced by Assembly Member Reyes**

January 16, 2003

---

---

An act to add Section 200 to the Penal Code, relating to homicide victims.

### LEGISLATIVE COUNSEL'S DIGEST

AB 135, as amended, Reyes. Homicide victims.

Existing law regulates the disposition of human remains, and makes it a misdemeanor to remove uncremated human remains from the district where death occurs, except as specified.

This bill would provide that every person who steals, takes, or moves the body of any person who has been the victim of a homicide into another country, state, or county, or into another part of the same county with the intent to conceal the body from law enforcement, or to prevent or obstruct the investigation or prosecution of any crime related to the homicide, is guilty of a felony punishable by ~~3, 5, or 7~~ 2, 3, or 4 years in the state prison.

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 200 is added to the Penal Code, to read:  
2 200. Every person who steals, takes, or moves the body of a  
3 homicide victim into another country, state, county, or into another  
4 part of the same county with the intent to conceal the body from  
5 law enforcement, or to prevent or obstruct the investigation or  
6 prosecution of any crime related to the homicide, is guilty of a  
7 felony punishable by ~~three, five, or seven~~ two, three, or four years  
8 in the state prison.  
9 SEC. 2. No reimbursement is required by this act pursuant to  
10 Section 6 of Article XIII B of the California Constitution because  
11 the only costs that may be incurred by a local agency or school  
12 district will be incurred because this act creates a new crime or  
13 infraction, eliminates a crime or infraction, or changes the penalty  
14 for a crime or infraction, within the meaning of Section 17556 of  
15 the Government Code, or changes the definition of a crime within  
16 the meaning of Section 6 of Article XIII B of the California  
17 Constitution.

